**UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF NEW YORK**

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**ROBERT Novak, d/b/a Pets Warehouse and PetsWarehouse.com**

**Plaintiff,**

**No. CV 02 5164 (DRH) (WDW)**

**-v-**

**OVERTURE SERVICES, INC, GOOGLE, INC., INNOVATIVE MARKETING SOLUTIONS, INC., d/b/a KANOODLE.COM, NEEPS INC d/b/a THEFERRETSTORE.COM, JOHN HOLDEFEHR d/b/a JUDGE-FOR-YOURSELF.COM, BIOCHEMICS, INC. d/b/a DOCTORDOG.COM,**

**Defendants.**

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**OVERTURE SERVICES, INC.,**

**Counter-claimant,**

**-v-**

**ROBERT Novak, d/b/a Pets Warehouse and PetsWarehouse.com**

**Counter-defendant.**

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**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE**

Pursuant to a confidential agreement between Plaintiff Robert Novak, d/b/a Pets Warehouse and PetsWarehouse.com ("Novak") and Defendant Overture Services, Inc.

("Overture"), and pursuant to Fed. R. Civ. P. 41, Novak and Overture request the following.

Novak hereby requests that all claims against Overture be dismissed with prejudice.

Overture hereby requests that its counterclaim against Novak be dismissed with prejudice.

Respectfully submitted,

ROBERT NOVAK d/b/a PETSWAREHOUSE and PETSWAREHOUSE.COM

By: ______________________________

Printed Name: Robert Novak

Title: ______________________________

OVERTURE SERVICES, INC.

By: ______________________________

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